



Robert Greene Sterne  
Jorge A. Goldstein  
David K.S. Cornwell  
Robert W. Esmond  
Tracy-Gene G. Durkin  
Michele A. Cimbalà  
Michael G. Ray  
Robert E. Solochi  
Eric K. Saffie  
Michael Q. Lee  
John M. Covert  
Robert C. Willington  
Donald J. Featherstone  
Timothy J. Shea, Jr.  
Michael V. Messinger  
Judith U. Kim  
Jeffrey T. Helvey

Eldora L. Ellison  
Donald R. Banowitz  
Peter A. Jackman  
Brian J. Del Buono  
Mark Fox Evans  
Vincent L. Capuano  
Elizabeth J. Haanes  
Michael D. Specht  
Kevin W. McCabe  
Edward W. Yee  
Virgil Lee Beaton  
Theodore A. Wood  
Joseph S. Ostroff  
Jason D. Eisenberg  
Tracy L. Muller  
Jon E. Wright  
LuAnne M. DeSantis

Ann E. Summerfield  
Helene C. Carlson  
Cynthia M. Bouchez  
Timothy A. Doyle  
Gabry L. Longworth  
Lori A. Gordon  
Laura A. Vogel  
Byron S. Wada  
Bashir M.S. Ali  
Shannon A. Carroll  
Anbar F. Khal  
Michelle K. Holoubek  
Marsha A. Rose  
Scott A. Schaller  
Lei Zhou  
Young Tang  
Christopher J. Walsh

W. Blake Coblentz\*  
James J. Pohl  
John T. Hagan  
Mark W. Rygiel  
Michael P. Malek\*  
Carla Ji-Eun Kim  
Doyle A. Siewer\*  
Alexandra K. Pechhold  
C. Matthew Rozier\*  
Robert A. Schwarzman  
Bryan L. Skilton\*  
Ulrike Winkler

**Registered Patent Agents\***  
Karen R. Markowicz  
Matthew J. Doud  
Kathrina Vujan Pei Quach  
Julie A. Heider

Mita Mukherjee  
Scott M. Woodhouse  
Peter A. Scarras  
Jeffrey K. Mills  
Danielle L. Letting  
Lori Brandes  
Steven C. Oppenheimer  
Aaron S. Lukas  
Gaurav Asthana

**Of Counsel**  
Edward J. Kessler  
Kenneth C. Bass III  
Marvin C. Guthrie

\*Admitted only in Maryland  
\*Admitted only in Virginia  
\*Practice Limited to Federal Agencies

April 11, 2007

**WRITER'S DIRECT NUMBER:**  
(202) 772-8645

**INTERNET ADDRESS:**  
JASONB@SKGF.COM

Commissioner for Patents  
PO Box 1450  
Alexandria, VA 22313-1450

**Art Unit 2873**

**Attn: Mail Stop Amendment**

Re: **U.S. Utility Patent Application**  
Application No. 10/651,048; Filed: August 29, 2003  
For: **Spatial Light Modulator Using an Integrated Circuit Actuator**  
Inventors: Govil *et al.*  
Our Ref: 1857.2010000

Sir:

Transmitted herewith for appropriate action are the following documents:

1. Third Supplemental Information Disclosure Statement;
2. Form PTO/SB/08A (1 sheet) listing five (5) documents (FP1-FP5);
3. Form PTO/SB/08B (1 sheet) listing one (1) document (NPL1); and
4. Copies of cited documents (FP1-FP5 and NPL1).

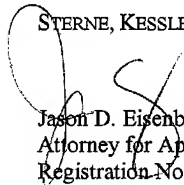
The above-listed documents are filed electronically through EFS-Web.

In the event that extensions of time are necessary to prevent abandonment of this patent application, then such extensions of time are hereby petitioned.

Commissioner for Patents  
April 11, 2007  
Page 2

The U.S. Patent and Trademark Office is hereby authorized to charge any fee deficiency, or credit any overpayment, to our Deposit Account No. 19-0036.

Respectfully submitted,



STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.  
Jason D. Eisenberg  
Attorney for Applicants  
Registration No. 43,447

JDE/ahw  
Enclosures

DOC#663324\_1.DOC

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Govil *et al.*

Appl. No.: 10/651,048

Filed: August 29, 2003

For: **Spatial Light Modulator Using an  
Integrated Circuit Actuator**

Confirmation No.: 8531

Art Unit: 2873

Examiner: DINH, JACK

Atty. Docket: 1857.2010000

**Third Supplemental Information Disclosure Statement**

***Mail Stop Amendment***

Commissioner for Patents  
PO Box 1450  
Alexandria, VA 22313-1450

Sir:

Listed on accompanying IDS Forms are documents that may be considered material to the examination of this application, in compliance with the duty of disclosure requirements of 37 C.F.R. §§ 1.56, 1.97 and 1.98.

Applicants have listed publication dates on the attached IDS Forms based on information presently available to the undersigned. However, the listed publication dates should not be construed as an admission that the information was actually published on the date indicated.

Applicants reserve the right to establish the patentability of the claimed invention over any of the information provided herewith, and/or to prove that this information may not be prior art, and/or to prove that this information may not be enabling for the teachings purportedly offered.

This statement should not be construed as a representation that a search has been made, or that information more material to the examination of the present patent

application does not exist. The Examiner is specifically requested not to rely solely on the material submitted herewith.

Applicants have checked the appropriate boxes below.

- ☐ 1. Statement under 37 C.F.R. 1.704(d). Each item of information contained in this Information Disclosure Statement was first cited in a communication from a foreign patent office in a counterpart application and this communication was not received by any individual designated in 37 C.F.R. § 1.56(c) more than thirty days prior to the filing of this information disclosure statement.
- ☐ 2. Filing under 37 C.F.R. § 1.97(b). This Information Disclosure Statement is being filed within three months of the date of filing of a national application other than a continued prosecution application (CPA), OR within three months of the date of entry of the national stage as set forth in 37 C.F.R. § 1.491 in an international application, OR before the mailing date of a first Office Action on the merits OR before the mailing of a first Office Action after the filing of a request for continued examination under 37 C.F.R. § 1.114. No statement or fee is required.
- ☒ 3. Filing under 37 C.F.R. § 1.97(c). This Information Disclosure Statement is being filed more than three months after the U.S. filing date AND after the mailing date of the first Office Action on the merits, but before the mailing date of a Final Rejection, or Notice of Allowance, or an action that otherwise closes prosecution in the application.

- ☒ a. Statement under 37 C.F.R. § 1.97(e)(1). I hereby state that each item of information contained in this Information Disclosure Statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Information Disclosure Statement. 37 C.F.R. § 1.97(e)(1).
- ☐ b. Statement under 37 C.F.R. § 1.97(e)(2). I hereby state that no item of information in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application and, to my knowledge after making reasonable inquiry, was known to any individual designated in 37 C.F.R. § 1.56(c) more than three months prior to the filing of this Information Disclosure Statement. 37 C.F.R. § 1.97(e)(2).
- ☐ c. Attached is our PTO-2038 Credit Card Payment Form in the amount of \$0.00 in payment of the fee under 37 C.F.R. § 1.17(p).
- ☐ 4. Filing under 37 C.F.R. § 1.97(d) This Information Disclosure Statement is being filed more than three months after the U.S. filing date and after the mailing date of a Final Rejection or Notice of Allowance, but before payment of the Issue Fee. Enclosed find our PTO-2038 Credit Card Payment Form in the amount of \$0.00 in payment of the fee under 37 C.F.R. § 1.17(p); in addition:
- ☐ a. Statement under 37 C.F.R. § 1.97(e)(1). I hereby state that each item of information contained in this Information Disclosure

Statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Information Disclosure Statement. 37 C.F.R. § 1.97(e)(1).

- ☐ b. Statement under 37 C.F.R. § 1.97(e)(2). I hereby state that no item of information in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application and, to my knowledge after making reasonable inquiry, was known to any individual designated in 37 C.F.R. § 1.56(c) more than three months prior to the filing of this Information Disclosure Statement. 37 C.F.R. § 1.97(e)(2).
- ☒ 5. The documents were cited in an office action, NPL1, by a foreign patent office in a counterpart foreign application. Submission of an English language version of the office action that indicates the degree of relevance found by the foreign office is provided in satisfaction of the requirement for a concise explanation of relevance. 1138 OG 37, 38.
- ☐ 6. A concise explanation of the relevance of the non-English language document(s) appears below in accordance with 37 C.F.R. § 1.98(a)(3).
- ☒ 7. Copies of documents FP1-FP5 and NPL1 are submitted. However, in accordance with 37 C.F.R. § 1.98(a)(2), no copies of U.S. patents and patent application publications cited on the attached IDS Forms are submitted.

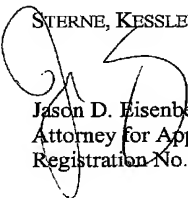
- ☐ 8. Copies of the documents were cited by or submitted to the Office in an IDS that complies with 37 C.F.R. § 1.98(a)-(c) in Application No. \_\_\_\_\_, filed \_\_\_\_\_, which is relied upon for an earlier filing date under 35 U.S.C. § 120. Thus, copies of these documents are not attached. 37 C.F.R. § 1.98(d).
- ☐ 9. It is expected that the examiner will review the prosecution and cited art in the parent application no(s). \_\_\_\_\_ in accordance with MPEP 2001.06(b), and indicate in the next communication from the office that the art cited in the earlier prosecution history has been reviewed in connection with the present application.

It is respectfully requested that the Examiner initial and return a copy of the enclosed IDS Forms, and indicate in the official file wrapper of this patent application that the documents have been considered.

The U.S. Patent and Trademark Office is hereby authorized to charge any fee deficiency, or credit any overpayment, to our Deposit Account No. 19-0036.

Respectfully submitted,

STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.

  
Jason D. Eisenberg  
Attorney for Applicants  
Registration No. 43,447

Date:

4/11/07

1100 New York Avenue, N.W.  
Washington, D.C. 20005-3934  
(202) 371-2600

DOC#663323\_1.DOC

Substitute for form 1449/PTO				<b>Complete if Known</b>	
<b>THIRD SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b> (Use as many sheets as necessary)				Application Number	10/651,048
				Filing Date	August 29, 2003
				First Named Inventor	Pradcep K. Govil
				Art Unit	2873
				Examiner Name	DINH, JACK
Sheet	1	of	1	Attorney Docket Number	1857.2010000

U.S. PATENT DOCUMENTS					
Examiner Initials*	Cite No. <sup>1</sup>	Document Number	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number-Kind Code <sup>2</sup> (if known)			
	US1				
	US2				
	US3				
	US4				
	US5				
	US6				
	US7				
	US8				
	US9				
	US10				
	US11				
	US12				
	US13				
	US14				
	US15				
	US16				
	US17				
	US18				
	US19				
	US20				

FOREIGN PATENT DOCUMENTS						
Examiner Initials*	Cite No. <sup>1</sup>	Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T <sup>6</sup>
		Country Code <sup>3</sup> Number <sup>4</sup> Kind Code <sup>5</sup> (if known)				
	FP1	JP 7-181403 A	07-21-1995	Ri et al.		✓
	FP2	JP 8-149355 A	06-07-1996	Shinozuka		✓
	FP3	JP 63-294140 A	11-30-1988	Tokumitsu et al.		✓
	FP4	JP 2002-189173 A	07-05-2002	Nishioka et al.		✓
	FP5	JP 2002-350749 A	12-04-2002	Tanida		✓
	FP6					
	FP7					
	FP8					
	FP9					

Examiner Signature	Date Considered
--------------------	-----------------

DOC#663318\_1.DOC

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. <sup>1</sup>Applicant's unique citation designation number (optional). <sup>2</sup>See Kinds Codes of USPTO Patent Documents at [www.uspto.gov](http://www.uspto.gov) or MPEP 901.04. <sup>3</sup>Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). <sup>4</sup>For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. <sup>5</sup>Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. <sup>6</sup>Applicant is to place a check mark here if English language Translation is attached.

This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 (1-800-786-9199) and select option 2.



Substitute for form 1449/PTO				<b>Complete if Known</b>	
<b>THIRD SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b> <i>(Use as many sheets as necessary)</i>				<i>Application Number</i>	10/651,048
				<i>Filing Date</i>	August 29, 2003
				<i>First Named Inventor</i>	Pradeep K. Govil
				<i>Art Unit</i>	2873
				<i>Examiner Name</i>	DINH, JACK
<i>Sheet</i>	1	of	1	<i>Attorney Docket Number</i>	1857.2010000

NON PATENT LITERATURE DOCUMENTS			
Examiner Initials*	Cite No. <sup>1</sup>	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published	T <sup>2</sup>
	NPL1	Office Action , dated March 8, 2007, for JP Patent Application No. 2004-245786, 3 pgs.	
	NPL2		
	NPL3		
	NPL4		
	NPL5		
	NPL6		
	NPL7		
	NPL8		
	NPL9		
	NPL10		

Examiner Signature	Date Considered
-----------------------	--------------------

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

<sup>1</sup> Applicant's unique citation designation number (optional). <sup>2</sup> Applicant is to place a check mark here if English language Translation is attached.

This collection of information is required by 37 CFR 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

DOCI663319\_1.DOC

If you need assistance in completing the form, call 1-800-PTO-9199 (1-800-786-9199) and select option 2.